



# PUBLIC NOTICE

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## **WTB SEEKS COMMENT ON WIRELESS E911 PHASE II AMENDED WAIVER REQUEST FILED BY D&E OMNIPOINT WIRELESS JOINT VENTURE, L.P.**

**CC DOCKET NO. 94-102**

**Comments Due: July 30, 2001**

**Reply Comments Due: August 6, 2001**

Under the Federal Communications Commission's (Commission's) rules, wireless carriers are required to begin deploying the capability to identify the precise location of wireless 911 calls beginning on October 1, 2001, provided certain conditions are met.<sup>1</sup> This capability is called Phase II Automatic Location Identification (ALI). The Phase II rules establish deployment schedules and set accuracy and reliability requirements for location technologies that might be used, specifically for handset-based and network-based ALI technologies.<sup>2</sup>

In a filing made on June 20, 2001, D&E/Omnipoint Wireless Joint Venture, L.P. d/b/a PCS One (PCS One) requests a waiver of the E911 Phase II Location Technology Implementation Rules to permit it to deploy a hybrid ALI approach for its Global System for Mobile Communications (GSM) network that would include both network and handset upgrades.<sup>3</sup> PCS One proposes implementing a network software solution (NSS) and a handset-based technology called Enhanced Observed Time Difference of Arrival (E-OTD).<sup>4</sup> PCS One's waiver request mirrors the earlier waiver request of VoiceStream, which was granted by the Commission on September 8, 2000.<sup>5</sup>

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<sup>1</sup> 47 C.F.R. §20.18.

<sup>2</sup> 47 C.F.R. §20.18(f)-(h).

<sup>3</sup> *D&E/Omnipoint Wireless Joint Venture, L.P. Petition for Waiver of the E911 Phase II Location Technology Implementation Rules*, CC Docket 94-102, filed June 20, 2001 (Waiver Request).

<sup>4</sup> *Id* at 2.

<sup>5</sup> *See Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC docket No. 94-102, Fourth Memorandum Opinion and Order, 15 FCC Rcd. 17,442 (2000), *recon. pending* (E911 Fourth Memorandum Opinion and Order).

Based upon its relationship with VoiceStream, PCS One believes that the rationale for granting VoiceStream's waiver request applies equally to PCS One; thus the Commission should grant PCS One a waiver of the E-911 Phase II rules subject to the same conditions as the waiver granted to VoiceStream.<sup>6</sup> PCS One is a personal communications services licensee (PCS) that operates a cellular telecommunications service network in eastern Pennsylvania. PCS One is fifty (50) percent owned by VoiceStream and fifty (50) percent owned by D&E Communications, Inc.<sup>7</sup> PCS One believes that it is in the interest of public safety, efficiency, and seamless service for both PCS One and VoiceStream to utilize the same E-911 solution.<sup>8</sup> According to PCS One, the regional networks operated by VoiceStream and D&E are subject to several cooperative arrangements and are technically integrated.<sup>9</sup> Furthermore, PCS One argues that VoiceStream's ownership interest in PCS One, the geographic proximity to the PCS One network of VoiceStream systems utilizing the same digital technology, and the technical integration between the systems on a regional basis are all reasons to grant its request for a waiver of the Phase II E-911 rules.<sup>10</sup>

We seek comment on PCS One's waiver request. Parties interested in filing comments may do so on or before **July 30, 2001** and may file reply comments on or before **August 6, 2001**.

This is a "permit but disclose" proceeding pursuant to § 1.1206 of the Commission's Rules.<sup>11</sup> Presentations to or from Commission decision-making personnel are permissible provided that *ex parte* presentations are disclosed pursuant to 47 C.F.R. § 1.1206(b).

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the docket number of this proceeding. Parties that choose to file by paper must file an original and four copies of each filing with the Office of the Secretary, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554, and a diskette copy with the Commission's copy contractor International Transcription Service, Inc. (ITS), Room CY-B400, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554. The filing should include the docket number of this proceeding: CC Docket No. 94-102. Filings and comments are also available for inspection and copying during regular business hours in the Reference Information Center, Federal Communications Commission, Court Yard Level, Room CY-A257, 445 12<sup>th</sup> Street, S.W., Washington, D.C. or may be purchased from ITS.

For further information concerning this proceeding, contact Gregory Vadas, Policy Division,

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<sup>6</sup> *Waiver Request* at 3.

<sup>7</sup> *Id* at 2.

<sup>8</sup> *Id* at 3.

<sup>9</sup> *Id* at 3.

<sup>10</sup> *Id* at 3.

<sup>11</sup> 47 C.F.R. § 1.1206.

Wireless Telecommunications Bureau, at (202) 418-1310.

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